

07-10-01

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UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)*(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.
840.052.203

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTSBox Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Multipole Ion Guide Mass Spectrometry with MS/MSn Analysis

and invented by:

Whitehouse, et al.

J1036 U.S. PTO
09/901428

07/09/01

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/676,124

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/373,337

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/794,970

* See attached sheet containing additional claims to priority.

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 53 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal b. ☐ Informal Number of Sheets 9
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EL383343401US

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Small Entity Statement(s) - Specify Number of Statements Submitted: _____
17. ☐ Additional Enclosures *(please identify below)*:

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Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☒ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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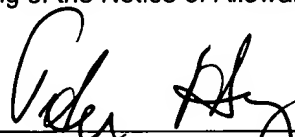
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	32	- 20 =	12	x \$9.00	\$108.00
Indep. Claims	2	- 3 =	0	x \$40.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$355.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$463.00

- ☒ A check in the amount of **\$463.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **02-2105** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 7/9/01


Signature
Peter L. Berger (Reg. No. 24,570)
Levisohn, Lerner, Berger & Langsam
757 Third Avenue, Suite 2400
New York, NY 10017

CC:

Applicant(s): **Whitehouse, et al**

Docket No.

840.052.203

Serial No.

Filing Date

Examiner

Group Art Unit

Invention: Multipole Ion Guide Mass Spectrometry with MS/MS_n Analysis

I hereby certify that this continuation patent application
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on July 9, 2001
(Date)

Lourdes Rodriguez

(Typed or Printed Name of Person Mailing Correspondence)

Ramiro Rodriguez
(Signature of Person Mailing Correspondence)

EL383343401US

(*"Express Mail" Mailing Label Number*)

Note: Each paper must have its own certificate of mailing.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Whitehouse et al.

Patent Application

Serial No.: To be assigned

Filing Date: July 8, 2001

For: Multipole Ion Guide
Mass Spectrometry
with MS/MSⁿ Analysis

Attorney Docket No.: 840.052.203

Assistant Commissioner for Patents
Washington, D.C. 20231

Additional Claims to Priority

...which is a continuation of U.S. Patent Application Serial No. 08/645,826 filed May 14, 1996 (issued as U.S. Patent No. 5,652,427 on July 29, 1997), and which is a continuation of U.S. Patent Application Serial No. 08/202,505 filed February 28, 1994 (abandoned); and the priority of U.S. Patent Application Serial No. 09/448,857 filed November 23, 1999, which is a continuation of U.S. Patent Application Serial No. 08/971,521 filed November 17, 1997 (issued as U.S. Patent No. 6,020,586 on February 1, 2000) which is a continuation of U.S. Patent Application Serial No. 08/689,459 filed August 9, 1996 (issued as U.S. Patent No. 5,689,111 on November 18, 1997), and which claims the priority of U.S. Provisional Application Serial No. 60/002,118 filed August 10, 1995, and U.S. Provisional Application

Serial No. 60/002,122 filed August 10, 1995. The priority of all of the prior applications is claimed, and the disclosures of those applications are fully incorporated herein by reference.--

AMH: X:\ARCHIVE\Ann Marie\WPDOCS\Analytica - 840\052-203 - additional priority claims.wpd

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